

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:14-cv-27-FDW**

<b>OWEN D. LEAVITT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
<b>NC DEPARTMENT OF</b>	)	
<b>PUBLIC SAFETY, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
<hr style="width:40%; margin-left:0;"/>	)	

**THIS MATTER** is before the Court on remand from the Fourth Circuit for entry of an order allowing Plaintiff additional time to supplement the record to demonstrate that he has fully exhausted his administrative remedies within the prison's administrative remedy procedure. Plaintiff will be provided 30-days from entry of this Order to provide documentation to demonstrate that he has fully exhausted his administrative remedies as to each claim that he has presented in his pro se complaint which he filed pursuant to 42 U.S.C. § 1983. Failure to provide the necessary documentation, or to file a response explaining why he could not fully exhaust his administrative remedies prior to filing suit, will result in an order dismissing his unexhausted claims.

**IT IS, THEREFORE, ORDERED** that Plaintiff shall provide proof that he has exhausted his administrative remedies, or a written explanation as to why he has not exhausted his administrative remedies prior to filing his § 1983 complaint.

**IT IS FURTHER ORDERED** that failure to comply with this Order will result in dismissal of the unexhausted claims in his § 1983 complaint and without further notice an initial review of any exhausted claims pursuant to 28 U.S.C. § 1915A(a).

**IT IS SO ORDERED.**

Signed: November 26, 2014

A handwritten signature in cursive script, reading "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney  
Chief United States District Judge

